

FREMONT BOARD OF SELECTMEN**14 JULY 2005****APPROVED 07/21/2005**

The Selectmen's meeting was called to order at 6:05 pm. Present were selectmen Gene Cordes and Peter Bolduc; Building Inspector Thom Roy; and Heidi Carlson and Jeanne Nygren. Selectman Gates called at 6:00 pm and was in Vermont, indicating he would be late.

Thom Roy met with the Board to discuss some zoning interpretation questions. The first dealt with Edward Gibbs and his property on Main Street. Mr Gibbs had been issued a building permit for a garage, which needs to go through Site Plan Review for a business. With the changes voted at the March 2005 Town Meeting, the outline of the Aquifer Protection District has changed. This area now encompasses the Gibbs property, and to move ahead with a Site Plan Review process for his commercial auto shop, a variance to the terms of the Aquifer Protection District criteria would be necessary.

Selectmen indicated that they knew, as did the Planning Board, how big an impact this would be if the voters adopted the new map as proposed. Roy has spoken with the Town's attorney on this with regard to grandfathering, and there is no grandfathering for an aquifer protection district overlay. Roy said that the Selectmen could, by decision, consider grandfathering uses prior to the date of the vote and "administratively gloss" the strict interpretation of the ordinance.

There was discussion about the ordinance and grandfathering information. There was discussion about the large area which is aquifer in Fremont.

Roy outlined the process Mr Gibbs had been through, including a consultation with the Planning Board; and his obtaining a building permit for his large garage. This permit was for a residential garage.

Roy made a case for Mr Gibbs about his not having completed an application for Site Plan Review, but having made contact with the Town on a preliminary basis. Roy asked the Selectmen to make an interpretation of what requirements he would have to be subject to, and it was clear that if he had just come in (last week) that he was subject to the 2005 Zoning Ordinance.

Roy then asked the Board about the wetlands ordinance that was voted in 1985. This is also an administrative gloss, as it has been practice to allow lots dated prior to that ordinance to be grandfathered from the wetland setback.

With regard to the letter from the Fire Chief regarding Governor's Forest, Roy said that he felt it was the Fire Chief's decision to make, and really had no opinion about it. Mr Ferwerda has asked for the Selectmen to alter the agreement made by issuing more than the agreed seven (7) building permits prior to full installation of the cistern.

Roy then discussed some recent complaints from Randy Grasso about the number of trucks going into Seacoast Farms on a daily basis.

Roy left the meeting at 6:25 pm.

NEW BUSINESS

1. Selectmen reviewed the payroll manifest \$15,933.57 and accounts payable manifest \$726,041.69. Both were approved and signed.
2. Second estimate for pump at the ballfields was \$767 from R E Prescott (about \$300 less than Epping Well & Pump). The pump was purchased from R E Prescott, and has been picked up with installation taking place this week, and completed this evening by Dick Rand.

Neal Janvrin came into the meeting at 6:45 pm.

Selectmen approved use of the Old Meetinghouse by Ed Wall on behalf of the Fremont Historical Society for a musical concert on Sunday September 18, 2005 between 3:00 and 5:00 pm.

APPOINTMENTS

Martin Ferwerda came into the meeting at 6:55 pm with the letter from the Fire Chief regarding the fire cistern installation. He said he is looking for a waiver on the number of building permits to be issued prior to that cistern being installed.

Currently paving is scheduled for Saturday July 16th, with the Town Engineer due out tomorrow for an inspection.

Richard Butler came into the meeting at 7:00 pm.

The fire cistern was another item to be completed, as well as permission from Witham being extended. The bond is due to be renewed at the beginning of August, when Ferwerda hopes to have the paving complete and a substantial bond reduction in order.

The fire cistern has been promised to him in two weeks, so he is forecasting four weeks to final completion. Research was done to determine that the letter of credit is valid until the beginning of September but the Agreement is that the paving will be done by July 15, 2005.

The Witham access permission is a non-issue once the paving is completed in from Route 107. Selectmen agreed that they will get written notification from Thom Roy that the paving is completed to safe satisfaction so that the Witham access is a non-issue, and at that time, the Selectmen would be willing to issue up to two more building permits, but no further CO's beyond the first five because it is a public safety issue.

Ferwerda said he would have the written letter forwarded to the Selectmen once it was completed. He left the meeting at 7:05 pm.

DEPARTMENT HEADS

Chief Janvrin advised that almost 200 letters went out to owners about dog licensing today, as a result of the Town Clerk's Dog Warrant for unlicensed dogs.

Chief Janvrin said that he believes the Town should consider the town painting white stop lines at several town road intersections. Janvrin complained about the intersection of Jackie Bernier Drive and Main Street.

Janvrin said he has had some comments made to him about the new cemetery signs and that the posts should be made to look a bit more historic. Selectmen will look at this and see if some suggestion could be made.

Richard Butler advised that the dealership had called and said the new truck would not be at their facility until the first week of August. It is scheduled for installation of the utility body, followed by the radio, which will take another couple of weeks.

Butler left the meeting at 7:18 pm to attend the other meeting at the Safety Complex.

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At 7:20 pm Dan Itse met with the Selectmen. Selectmen outlined their pretty strong feelings about SB 11 and Itse's vote about it. Itse began by saying that he echoed what Representative Nowe wrote. Basically the telephone pole tax exemption was created for a compensation for when they enacted the communication service tax; and to repeal it would mean creating a credit and that would short the education trust fund (where this money goes). He said that Verizon might own the poles, but shared space on them with other users. He felt this created a tax inequity. He felt it would have created a new large bureaucracy regarding the exemption and credits for taxes. He also thought this would pass on a burden to taxpayers as well.

Cordes asked who else was exempt aside from Verizon, but said PSNH was not exempt. Comcast would be exempt if Verizon was exempt. This would be passed on to vendors such as Comcast, and would be passed on in cost if they were not exempt.

Selectmen explained that they feel differently, because exempting these properties eludes local taxation and makes Fremont taxpayers lose revenue, distorting the costs between rate payers (users) and tax payers. There was discussion about tax payers and rate payers.

It was estimated that \$50,000 in revenue could have been received by the Town of Fremont in property taxes last year, and that can be forecasted out for other years. Itse said that it can be revisited again in any given year.

There was some discussion about progress in legislative issues, including the OHRV trails usage.

Itse left the meeting at 7:40 pm. Selectmen took a few minute recess.

NEW BUSINESS CONTINUED

3. Selectmen looked at some information from the Town of Merrimack regarding use of OHRV's on town property.

Matthew Thomas came into the meeting at 7:55 pm. He met with the Board to indicate that he did not want the Town Meeting warrant article circumvented, feeling that people made it clear in that vote. Thomas said he has talked with Al Rislove's agent, and Thomas had provided them with a name, that they agreed to. He said that Datchet had completely misrepresented to the Selectmen the status of the road name, and Thomas wanted to see it changed.

Thomas read the text of the warrant article aloud, which was voted at the 2003 Town Meeting. Thomas explained that the intent of his warrant article was to keep the historic nature of Fremont, and to avoid people naming roads after children, spouses, etc. Selectmen said that this vote was advisory in nature based on the opinion of Town Counsel.

RSA 231:133 was read aloud by Chairman Cordes, which defines street naming and signs. This statute was copied for Thomas.

Thomas indicated that the lesson to be learned here is that anyone wanting to change a street name should be run by him. Thomas said that he thinks the name sounds nice, but that he wants to see it changed because it was not brought forward in a forthright manner. Cordes explained that to the people who are now living on the street are probably attached to the name, and that to change it at this time will cause a lot of bad will. Selectmen heeded Thomas' concerns that he wants to see the historic names perpetuated. It was decided that since there are already several occupied homes on the street with addresses, that this should be used as a learning experience for the future, but not changed at this time due to the established residences, etc.

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There was discussion about a follow-up memorandum and how the process should be done in the future.

Thomas discussed the historic museum and a proposal for Fuller Park. The developer (Black Rocks Village) was going to put the original granite blocks from the foundation of the home in the middle of the "park" easement area, as outlined in a sketch. Selectmen suggested that the Building Inspector check with the developer about progress on the park area. Thomas said he was working on a grant for some improvements in the park area, which may be relocated to an area closer to the historical museum, depending on what Mr Himmer has planned at Black Rocks Village. Thomas feels strongly that he might get a grant for being able to construct a monument (statute of John Fremont) because it is a very unique project.

There was further discussion about the new signs. It is felt that that the posts might best be painted. Thomas asked for the Selectmen to contact the Scout and make these arrangements.

Thomas left the meeting at 8:45 pm.

OLD BUSINESS

1. Selectmen reviewed the minutes for 07 July 2005. Motion was made by Bolduc and seconded by Cordes to approve them as written. The vote was unanimously approved.

Donald Gates came into the meeting at 9:00 pm.

2. Carlson provided further revaluation updates to the Board. This includes that hearings will tentatively be held at Ellis School between August 8 and 12. There is a full update outlined in the August newsletter. The vision computer software was installed today with training for Heidi and Jeanne tomorrow.

3. Selectmen signed outgoing correspondence to Exeter Board of Selectmen re: district court location/logistics.

4. Board members were reminded of the revaluation meeting at 6:00 pm on Thursday July 21, 2005.

5. Selectmen reviewed the August Newsletter. More work was done on the revaluation information article. The third page of the newsletter will be the household hazardous waste informational flyer.

6. Selectmen asked that a letter be sent to Carl Hussey regarding the complaints last week.

NEXT WEEK

The next regular Board meeting will be held on Thursday July 21, 2005 at 6:00 pm.

With no further business to come before the Board, motion was made by Gates and seconded by Bolduc to adjourn the meeting at 9:30 pm. The vote was unanimously approved 3-0.

Respectfully submitted,

Heidi Carlson
Town Administrator

C: HW PD FD RS BI PB HO SB EM